

2631

PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/023,309

Filing Date

December 15, 2001

First Named Inventor

Gary Smith

Art Unit

2631

Examiner Name

Freshteh N. Aghdam

Attorney Docket Number

034942-266

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/ Incomplete Application

☐ Reply to Missing Parts under 37 CFR1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Postcard

1449

copy of IPER

Request for acknowledgement of IDS previously submitted, copy of postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

THELEN, REID, & PRIEST LLP

Signature

Printed Name

William E. Winters

Date

AUGUST 18, 2005

Reg. No.

42,232

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Michelle R. Crosby

Date

8/18/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gary Smith
SERIAL NO.: 10/023,309 CONFIRMATION NO.: 2338
FILING DATE: 12/15/01
TITLE: IMAGE REJECT CIRCUIT USING SIGMA-DELTA CONVERSION
EXAMINER: Freshteh N. Aghdam
ART UNIT: 2631

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Date: 8/18/05

Name: 
Michelle R. Crosby

Mail Stop: Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant hereby submits this Information Disclosure Statement (IDS) including a Form PTO-1449 containing a list of references which may be material to the examination of the above-referenced application. This submission is not to be construed as a representation that a prior art search has been conducted, that additional information material to the examination of this application does not exist, or that any one or more of the listed references constitutes prior art.

The Examiner is urged to carefully consider this Information Disclosure Statement and all the listed references, and to indicate same by initialing the appropriate portion(s) of the Form PTO-1449 and forwarding an initialed copy to applicant.

If this box ☒ is checked, this application was filed after **June 30, 2003**, and qualifies for the blanket waiver of deposit of copies of U.S. Patents and U.S. Patent Application Publications in accordance with the written waiver of 37 CFR §1.98 (a)(2)(i) Official Gazette Published in Official Gazette Notices of August 5, 2003 (1273OG55). **Accordingly, such copies are not submitted.**

I

This statement is filed pursuant to **(CHECK ONE BOX)**:

☐

37 C.F.R. § 1.97(b).

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; **or**
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, **whichever event occurs last.**

Accordingly, this information disclosure statement requires no fee and no certification.

☒

37 C.F.R. § 1.97(c).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; **or**
- (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either:

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); **or**
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).

☐

37 C.F.R. § 1.97(d).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires:

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); **and**
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

II

Fees Due (CHECK ONE BOX):

☒

No fee is due.

☐

The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (\$180).

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

III

Certification (CHECK ONE BOX):

☐

No certification is necessary.

☒

Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:

That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

☐

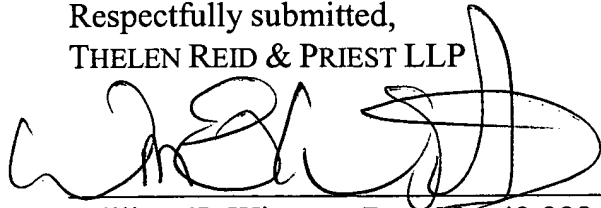
Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

IV

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. §1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. **To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.**

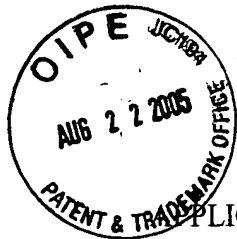
Respectfully submitted,
THELEN REID & PRIEST LLP

A handwritten signature in black ink, appearing to read 'W. E. Winters', is written over a horizontal line.

William E. Winters Reg. No. 42,232

Dated: August 18, 2005

THELEN REID & PRIEST LLP
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gary Smith
SERIAL NO.: 10/023,309 CONFIRMATION NO.: 2338
FILING DATE: 12/15/01
TITLE: IMAGE REJECT CIRCUIT USING SIGMA-DELTA CONVERSION
EXAMINER: Freshteh N. Aghdam
ART UNIT: 2631

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Date: 8/18/05 Name: 
Michelle R. Crosby

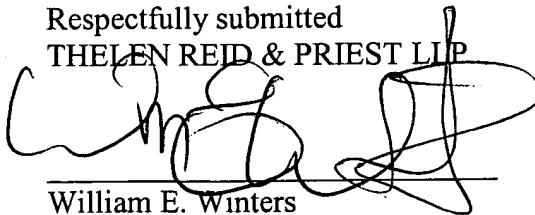
Mail Stop: Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

REQUEST FOR ACKNOWLEDGEMENT OF IDS

Dear Sir:

It is respectfully requested that the Patent Office acknowledge the Information Disclosure Statement (IDS) as filed with the U.S. Patent Office on October 7, 2003. Please find a postcard copy dating receipt of the IDS by the PTO on October 14, 2003.

Respectfully submitted
THELEN REID & PRIEST LLP



William E. Winters
Reg. No. 42,232

Dated: AUGUST 18, 2005

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Serial/Patent No.: 10/023,309

Filing/Issue Date: 12/15/01

Applicant: Gary Smith

Title: Image Reject Circuit Using Sigma-Delta Conversion

TRP Docket No.: 034942-266

Atty/Secty Initials: WEW/dm

Date Mailed: 10-7-03

Docket Due Date:

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input type="checkbox"/> Drawings: ____ # of sheets includes ____ figures |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input checked="" type="checkbox"/> IDS & PTO 1449 (4 pgs.) |
| <input type="checkbox"/> Application - Utility (____ pgs. with cover & abstract) | <input checked="" type="checkbox"/> 6 Pieces of Prior Art Enclosed |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Application - Rule 1.53(b) Division (____ pgs.) | <input type="checkbox"/> Submission of Formal Drawings: ____ # of sheets includes ____ figures |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA (____ pgs.) | <input checked="" type="checkbox"/> Postcard |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Reply Brief (____ pgs.) |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Req and Cert. Not to Publish - Rule 1.213 |
| <input type="checkbox"/> Certificate of Correction | <input type="checkbox"/> Request for Extension of Time ____ Month(s) |
| <input type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice to File Missing Parts |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Copy of PTO Notice to File Missing Parts |
| <input type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Transmittal Letter (original & copy) |
| <input type="checkbox"/> Request for Continued Examination (RCE) (____ pgs.) | <input type="checkbox"/> Express Mail No.: |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Check(s) \$ |
| | <input type="checkbox"/> Deposit Acct. No. 50-1698 \$ |
| | Patent Code: |
| | Client/Matter # 34942 - 266 |

